

United States District Court

District of Kansas

Steven G. Millett and Melody Millett, On Behalf of
Themselves and All Others Similarly Situated,
Plaintiffs,

SUBPOENA IN A CIVIL CASE

v.

TransUnion, L.L.C.,

Defendant.

CASE NUMBER: 04-CV-2448-GTV

TO AT&T Corp., Legal Department, One AT&T Way,
Bedminster, N.J. 07921-0752

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

See Exhibit A attached

PLACE

Offices of B. Joyce Yeager, Yeager Law Firm., L.L.C., 7270 W. 98th Terr., Ste. 220, Overland
Park, KS 66212, 913.648.6673

DATE AND TIME

November 30, 2004, 1:00 p.m.

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

October 27, 2004

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

B. Joyce Yeager, Yeager Law Firm, L.L.C., 7270 W. 98th Terr., Ste. 220, Overland Park, KS 66212, 913.648.6673, Attorney for Plaintiffs.

PROOF OF SERVICE

SERVED ^{DATE} Legal Dept.
ATT Corporation

^{PLACE} One ATT Way
Bedminster, N.J. 07921-0150

SERVED ON (PRINT NAME) J.O., Legal Department

^{MANNER OF SERVICE} Certified Mail, Return Receipt

SERVED BY (PRINT NAME) B. Joyce Yeager

^{TITLE} Counsel for Plaintiffs

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information

is true and correct.

on

11/8/04
DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

B. Joyce Yeager
Yeager Law Firm LLC
7270 W 98 Terr
Bldg 7, Ste. 220
Overland Park, KS 66212

Rule 45, Federal Rules of Civil Procedure, Parts C & D (c)

PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in

person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden

(B) if a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial. The court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions (d) DUTIES IN RESPONDING TO SUBPOENA

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

EXHIBIT A - SUBPOENA - AT&T, OCTOBER 27, 2004

Any and all account applications or applications for services or products which list the Social Security Number issued to Steven G. Millett, the number as set forth in separate, confidential documents accompanying this subpoena.

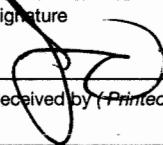
Any and all account information for any type of account, including telecommunications services, credit accounts, prepaid accounts, or related products or services for Abundio Perez.

Any and all account information for any type of account, including telecommunications services, credit accounts, prepaid accounts, or related products or services for Abundio Cuautle.

Billings, activity reports, and/or records of telephone calls or telecommunications pertaining to any account utilized by Abundio Perez.

Billings, activity reports, and/or records of telephone calls or telecommunications pertaining to any account utilized by Abundio Cuautle.

Any credit reports, the results of any credit checks or credit inquiries, or any related information which was obtained for any account or account holder utilizing the Social Security Number of Steven G. Millett, the number set forth in separate, confidential documents accompanying this subpoena. If paper copies are unavailable, please provide a detailed listing including the date(s) of any such inquiry(ies), the entity providing any such information, and the information provided as a result of any inquiry(ies).

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.		<p>A. Signature X </p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
		B. Received by (Printed Name)	C. Date of Delivery 11/01
1. Article Addressed to: Legal Department AT&T Corporation One AT&T Way Bedminster, NJ 07921-0752		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No	
		3. Service Type Return Receipt <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
		7004 1350 0001 1313 9615	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540